

WC 16.04.075 State Highway 32 Overlay Zone

It is the purpose of the State Highway 32 overlay zone to promote the public health, safety, comfort, convenience, and general welfare by providing for consistent and coordinated treatment of the properties bordering State Highway 32 in Washington Township, Hamilton County.

1. State Highway 32 Overlay Zone Boundaries - The boundaries of the State Highway 32 Overlay Zone are hereby established for an area of 600 feet on either side of the right-of-way of State Highway 32 extending from the west boundary of Hamilton County to U.S. 31, excluding the original platted towns of Jolietville and Eagletown. (see Figure WC 16.04.075 A)
2. Permitted Uses - All uses permitted by right in the underlying zoning districts.
3. Accessory Buildings and Uses - All accessory buildings and uses permitted in the underlying zoning districts, except that any detached accessory building on any lot shall have on all sides the same architectural features as the principal building or buildings with which it is associated.
4. Minimum Lot Size - Lots shall contain a minimum of 217,800 square feet (5 acres).

If a lot was recorded prior to November 1, 1990, and said lot does not contain the minimum area required by this ordinance for lots in the State Highway 32 Overlay Zone, then, notwithstanding the minimum lot size requirements for lots in the State Highway 32 overlay zone, said lot ("undersize lot") may be used for any use permitted provided:

- At the time of recordation of the undersized lot or on the record date, the undersize lot met the requirements for minimum lot size then in effect for a lot in the underlying zoning district;
- The owner of the undersize lot does not own any adjoining vacant land (not separated by a street, public way or interfering easement) which, if combined with the undersized lot, would create a lot which conforms to the minimum lot size requirements of this chapter; and
- All other applicable regulations of the State Highway 32 Overlay Zone can be met.

5. Height and Area Requirements -

- a) Maximum Building Height - As specified in the underlying zoning district, except as follows:
 - All uses - 60 feet, except that the maximum height may not exceed 50 percent of the depth of the front yard. For purposes of this computation, where access to the lot is by a frontage road which is between the lot and State Highway 32, the roadway width of such frontage road shall be added to the depth of the front yard.
- b) Minimum Building Height - All Uses - 14 feet, to the highest point of the roof for a building with a flat roof; 12 feet to the lowest eaves for a building with a gable, hip or gambrel roof.
- c) Minimum Front Yard - All Uses - 100 feet
- d) Minimum Side Yard - All Uses - 45 feet
- e) Minimum Rear Yard - All Uses - 45 feet
- f) Minimum Lot Width - All Uses - The lot width must equal or exceed that amount which is one-half the depth of the lot. If a lot was recorded prior to November 1, 1990, and said lot does not meet the minimum lot width requirements for lots in the State Highway 32 Overlay Zone, then, notwithstanding the minimum lot width requirements for lots in the State Highway 32 Overlay Zone, said lot may be used for any use permitted, provided:
 - At the time of recordation of said lot or the record date, said lot met the requirements for minimum lot width then in effect for the underlying zoning districts;
 - The owner of said lot does not own any adjoining vacant land (not separated by a street, public way or interfering easement) which, if combined with said lot, would create a lot which conforms to the minimum lot width requirements of this ordinance; and
 - All other applicable regulations of the State Highway 32 Overlay Zone can be met.
- g) Minimum Gross Floor Area - All Uses - 7,500 square feet (excluding the floor area of any basement).
- h) Maximum Lot Coverage - All Uses -

- If all buildings on the lot contain an aggregate gross floor area of less than 25,000 square feet, 35 percent of lot.
- If all buildings on the lot contain an aggregate gross floor area of between 25,000 square feet and 74,999 square feet, 45 percent of lot.
- If all buildings on the lot contain an aggregate gross floor area of between 75,000 square feet and 150,000 square feet, 55 percent of lot.
- If all buildings on the lot contain an aggregate gross floor area in excess of 150,000 square feet, 65 percent of lot.

Determination of Front Yard - For purposes of applying the requirements of this chapter, the front yard of each lot in the State Highway 32 Overlay Zone, including any corner lot, shall be deemed to that side of the lot which is closest to the right-of way of State Highway 32. Private parking areas may be located in front yards; however, such parking areas must be located at least twenty-five (25) feet from the principal building.

6. Loading Berth Requirements - As specified in the underlying zoning district, except that any loading or unloading berth or bay which faces or is visible from State Highway 32 shall be screened by landscaping or other screening.
7. Landscaping - That portion of the front yard of the lot between the front line and a line which is 30 feet ("Greenbelt Distance") off of and which runs parallel to the front line shall be landscaped and shall be unoccupied except by steps, walks, terraces, driveways, lampposts, signs.
8. Other Requirements -
 - Utility Screening - All heating, ventilating, communication, and other similar equipment located on the roof of any facility shall be properly screened from view in a manner that is homogenous with the balance of the structure.
 - Landscaping/Lighting/Architectural Plan - The architectural plan of any building and the landscaping/lighting plan for the lot or lots on which any building is constructed or is to be constructed shall be in accordance with the provisions of this section.
 - Parking - The required number of parking spaces for off-street parking shall be in accordance with the provisions of WC 16.04.120 of the Westfield - Washington Township Comprehensive Zoning Ordinance.

- Frontage Roads - All frontage road intersections within this corridor shall be placed a minimum of five hundred (500) feet from the right-of-way of State Highway 32.
9. Disclaimer on Rezoning - The State Highway 32 Overlay Zone does not rezone any land for any purpose.
10. Board of Zoning Appeals - All uses and standards of this section may be subject to variances as approved by the Board of Zoning Appeals pursuant to section 16.04.170 of the Westfield - Washington Township Comprehensive Zoning Ordinance.

Figure 16.04.075 A

